IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.944 OF 2007

The State of Maharashtra. ...Applicant.
Versus
Shri.Ratnakar Subbarao Rao. ...Respondent.

....

Mr.Rajesh More, APP for the Applicant-State.
Mr.Ganesh Gole, Adv. for Respondent.

....

CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 13th June, 2007.

P.C.:

1. Heard Mr.More, the learned APP for the State and Mr.Gole, the learned Advocate for respondent-orig.applicant.

2. Respondent-orig.applicant is being prosecuted in C.R.No.363 of 2005 of Manickpur Police Station. The said case is mainly under Sections 406, 420 of IPC. By order dated 28.4.2006 this Court granted anticipatory bail to the present respondent-orig.applicant in Criminal Application No.588 of 2006. During the hearing of the said application, the respondent-orig.applicant gave an undertaking that he will deposit an amount of Rs.7 lakhs in this Court within two months from 28.4.2006.

3. The State has preferred this application for cancellation of anticipatory bail granted to the respondent-orig.applicant mainly on the ground that the respondent-orig.applicant has not complied with the order of this Court dated 28.4.2006, inasmuch as the orig.applicant has not deposited the amount of Rs.7 lakhs in this Court.

4. Mr.Gole states that due to financial difficulty, the respondent-orig.applicant could not gather the said amount of Rs.7 lakhs and deposit the same in this Court. However, thereafter the respondent sold his shop in order to collect the said amount. The sale of the shop took some time. However, after selling the shop and taking loans from some people, the respondent had managed to gather the amount. Mr.Gole states that the respondent-orig.applicant has now brought four demand drafts totalling to Rs.7 lakhs in the name of Registrar, High Court, Appellate Side, Mumbai. The respondent-orig.applicant to deposit the said four demand drafts totalling to Rs.7 lakhs in this Court by tomorrow. It is made clear that if the Demand Drafts are not deposited in this Court by tomorrow,

this order shall stand automatically cancelled and the present application will stand revived.

5. In view of the fact that the respondent-orig.applicant has brought the Demand Drafts totalling to Rs.7 lakhs, at this stage, I am not inclined to cancel the anticipatory bail granted to the respondent-orig.applicant. Hence, application is rejected.

6. Parties to act upon the authenticated copy of this order.

(SMT.V.K.TAHILRAMANI,J.)